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June 7, 2022

The Honorable Bob Wieckowski
California State Senate, 10th District
Capitol Office, 1021 O Street, Suite 6530
Sacramento, CA 95814

RE: SB 897 (Wieckowski) – OPPOSE

Dear Senator Wieckowski:

On behalf of the City of Cupertino, I am writing to express our opposition to SB 897, which would significantly amend the statewide standards that apply to locally adopted ordinances concerning the construction of accessory dwelling units (ADUs), even though the law has been substantially amended nearly every year since 2016.

SB 897 would require local jurisdictions to allow ADUs to be constructed with a height of up to 25 feet. Current law appropriately authorizes cities and counties to restrict ADU height to 16 feet, thus helping ensure that these accessory units blend into the existing neighborhood. Mandating that local jurisdictions allow essentially two-story ADUs is completely contrary to the stated belief that ADUs are a way to increase density in a modest fashion that is not disruptive to established communities. Shoehorning a 25-foot structure into a backyard of a single-story ranch style home calls to question the idea that these are “accessory dwelling units.”

Additionally, SB 897 would permit constructed ADUs in violation of state building standards and in violation of local zoning requirements. Current law already requires cities and counties to approve ADUs ministerially, without discretionary review. Expanding this to prohibit local jurisdictions from denying permits for already constructed ADUs that fail to comply with state mandated building standards or local zoning requirements could result in dangerous or substandard living conditions.

Lastly, this bill would allow a property owner to construct two ADUs on a vacant parcel years before the proposed multifamily structure begins construction. Additionally, there is no guarantee that the multifamily structure will ever be constructed. It is unclear why local

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jurisdictions should be forced to allow ADUs to be constructed before the originally proposed multifamily structure. Constructing an ADU without a primary structure makes them accessory to nothing, but rather a standalone unit. For these reasons, the City of Cupertino opposes SB 897.

Sincerely,



Darcy Paul
Mayor
City of Cupertino

cc: Senator Dave Cortese
Senator Josh Becker
Assemblymember Evan Low
Assemblymember Marc Berman